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National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-8055
1-800-621-FEMA(3362)
Fax No.: 1-800-827-8112

Date: 02/15/2013

FEMA Application No.

Disaster No. 4085

BROOKLYN, NY

Bill for Collection No.:

Dear :

Following every federally declared disaster, as authorized by law FEMA conducts audits of disaster assistance payments to individuals ensuring taxpayer dollars were provided appropriately and in an amount meeting the eligible needs of the applicant. FEMA provided you funds as a result of your application for disaster assistance. These funds were provided based upon disaster-related needs you indicated in your application to FEMA. However, during our review of your case, you were found ineligible for some or all of the funds FEMA provided you under on the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended), 42 U.S.C. 5121 - 5207. Those funds must be returned because:

Ownership not verified

When you applied for FEMA assistance, you informed us you were the owner of the home damaged by the disaster. Our records indicate this is incorrect or requires proof FEMA does not have in your file. FEMA housing assistance for disaster-related home repair or replacement is only available to individuals who owned their pre-disaster primary residence. Therefore you are not eligible for the FEMA home repair or replacement assistance you received and you must return this money to FEMA unless you provide acceptable proof of ownership. If you have any questions about the details of this determination, please call the Recoupment Helpline at 1-800-816-1122.

If you disagree with our decision, you have the right to appeal. If you decide to appeal, please submit a copy of one or more of the following documents proving you owned the home at the time it was damaged by the disaster:

- Deed, official record, or title in your name
- Will or probate papers if the home is in the name of a deceased relative and death certificate
- Mortgage documentation in your name
- Structural insurance policy in your name
- Real estate tax receipt or property tax bill showing that you are responsible for payment
- Land installment contract or contract for deed
- Any other documents that may support your claim

Based upon your individual case, it has been determined you must return . . . This correspondence serves to notify you of a debt owed to the Federal Government. Failing to respond to this debt notice may affect your ability to receive future disaster assistance. If you previously made payments on your debt, call FEMA at 1-800-816-1122, to receive your current balance. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 1-800-816-1122.

This letter relates only to assistance you received through FEMA's Individuals and Households Program. If you applied to other disaster relief agencies, they will contact you separately if needed. Please note, even if you repay in full, the United States does not waive its rights to pursue any applicable civil or criminal remedies. In addition, if you made any false or fraudulent statements in connection with your application for disaster assistance, you may be subject to liability under other federal, state or local laws. In order to avoid interest or any penalty charges, you must return the full amount within 30 days of this letter. We urge you to respond to this letter within 30 days as outlined in the instructions to avoid penalties or fees required by law.

You have a right to appeal this determination, request information from your file, request a payment plan, request a compromise of your debt based on inability to pay, or contact us to further discuss your case. Appeal instructions are included in the enclosed **FEMA Debt Resolution Process: In Summary**. Should you choose to appeal, FEMA strongly encourages you to also pay the debt or set up a payment plan to avoid penalty charges and minimize interest. If FEMA approves your appeal, all of the money you repaid will be promptly returned to you.

If you have any questions about specific amounts of assistance you received, would like more information about this notice, to discuss payment options, or to receive your current balance if you previously made payments on a debt to FEMA, please call the Recoupment Helpline 1-800-816-1122. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 1-800-816-1122 between 9:00 AM and 8:00 PM EDT, Monday through Friday.

Please have your FEMA application number, Social Security Number, damaged property address, current address and phone number available when you call.

Sincerely,

Individuals and Households Program Officer

NOD

FEMA Application Number: Disaster Number: 4085

FEMA Debt Repayment Process: In Summary

After every disaster, FEMA is required to audit disaster assistance payments to ensure taxpayer dollars were properly spent. Those audits often show a small percentage of specific cases where disaster assistance was given to people who were not eligible for some or all of the money they received. The law requires FEMA to collect these overpayments through a process called "recoupment."

How does FEMA take back money? Like all Federal agencies, FEMA has both the duty and the authority to collect debts owed by the public. FEMA's recoupment process has three stages:

Stage 1: FEMA's National Processing Service Center (NPSC) sent you a letter, called a "Notice of Debt." The Notice of Debt tells you how much money you owe and why you owe it. **This letter is a bill** and the amount of money you owe is due within 30 days. After 30 days, FEMA will begin charging interest on the debt at the interest rate set by law. See <http://www.fms.treas.gov/cvfr/index.html>

When you receive the Notice of Debt, you have some options. You may:

1. Pay the amount in full;
2. Request a payment plan;
3. Request a compromise of the debt; or,
4. File an appeal within 60 days. If you file an appeal, FEMA will make a decision on your appeal and send you a letter explaining its decision and what will happen next.

If you do not complete one of the options outlined above, or if you appeal and are denied, your debt will become final and you will move on to Stage 2 of collection.

Stage 2: The FEMA Finance Center (FFC) continues the collection process by sending you a letter, called a "Letter of Intent". The Letter of Intent is a notification that FEMA is now taking further action to collect your debt. The Letter of Intent explains if you do not pay or resolve the debt with FFC, your debt will be forwarded to the U.S. Department of the Treasury and you will move on to Stage 3 of collection. In addition, it explains that interest and penalties will continue to grow.

Stage 3: If you did not appeal or your appeal was denied (Stage 1) and you later failed to work out how to satisfy your debt with FFC (Stage 2), your debt will be forwarded to the U.S. Department of the Treasury for collection by any of several methods it has available. These methods include "offset" (deducting money from other Federal or State payments you may be receiving, like Social Security, income tax refunds, etc.), referral to a private collection agency, or administrative wages garnishment among other debt collection methods.

More detailed instructions about your options, including how to pay the debt, how to request a payment plan or a compromise, or how to appeal are in the following section, "FEMA Debt Resolution Process: Your Rights and Options."

FEMA Debt Repayment Process: Your Rights and Options

A. Repayment. If you owe this debt, you may pay back the money to FEMA. To re-pay the debt in full, please fill out the enclosed FEMA DEBT REPAYMENT FORM. Your options are to:

1. Return the U.S. Treasury check(s) sent to you (if the amount of the check is the amount required to be returned and if the check has not already been cashed or deposited). Send the check to:

PHILADELPHIA REGIONAL FINANCIAL CENTER
P.O. BOX 51320
Philadelphia, PA 19154

2. Mail a personal check or money order in the amount of your debt, payable to FEMA. You should address your repayments to:

FEMA
P.O. Box 530217
Atlanta, GA 30353-0217

3. Pay via credit card or electronic check, please visit www.pay.gov. Once you are on the Pay.gov homepage, look for a section titled "Find Public Forms" on the left hand side. Type in FEMA, hit the go button; the FEMA Finance Center Recoup Assistance Repayment Form will appear. Click on the link and proceed to make a credit card or electronic check payment.

4. Pay via credit card using the enclosed FEMA Debt Repayment Form.

5. Pay via credit card or electronic check by calling 1-800-816-1122, Monday through Friday, between 9:00 a.m. and 4:00 p.m. EDT. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 1-800-816-1122.

B. Payment Plan. If you cannot pay the full amount now, you may request that FEMA evaluate your eligibility for a payment plan. You may also request a compromise of part or all of your debt based on inability to pay. Please call the Recoupment Helpline at 1-800-816-1122, Monday through Friday, between 9:00 a.m. and 4:00 p.m. EDT. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 1-800-816-1122, to request a payment plan. You will need your FEMA Application Number (top left corner of the enclosed letter) or Social Security Number when you call.

C. Records Request. You may request a copy of the records about your debt. You or your authorized representative may inspect and copy our records related to your debt. Examining your FEMA records may be important in making an effective appeal. Your request must be made in writing and include your full name, date of birth, damaged dwelling address, FEMA application number, and disaster number. In addition, your letter must either be notarized, include a copy of a state issued identification card, or include the following statement, *I hereby declare under penalty of perjury that the foregoing is true and correct.* You must sign the letter. Keep a copy for your records and send the request to:

FEMA Individuals & Households Program
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-8055

Or Fax it to: 1-800-827-8112

D. Appeal. If you disagree with the debt amount or reason, you may appeal FEMA's Notice of Debt within 60 days. This 60-day period starts on the date of your Notice of Debt. Please note: Interest will start accruing 30 days from the date of this letter unless the debt is paid in full. Additionally, if there is no other resolution to this debt (a payment plan, or compromise), penalties will begin accruing 90 days from the date of this letter. Should you choose to appeal, FEMA strongly encourages you to also pay the debt or set up a repayment plan to avoid penalty charges and minimize interest. If FEMA approves your appeal, all of the money you repaid will be promptly returned to

you.

1. **Appeal Letter.** Your appeal letter must be postmarked no more than 60 days after the date shown on the Notice of Debt and must include the following information:

- a. Your full name, last four digits of your Social Security Number, disaster number and FEMA application number on all pages of your correspondence:
- b. A written explanation of why you believe you do not owe this debt. In addition, your letter must be either notarized, include a copy of a state issued identification card, or include the following statement, *I hereby declare under penalty of perjury that the foregoing is true and correct.* You must sign the letter.
- c. Copies of any documents or statements showing or explaining why you do not owe this debt.

You should address your appeal letter to:

FEMA Individuals & Households Program
National Processing Service Center
P.O. Box 10055
Hyattsville, MD 20782-8055

Or Fax it to: 1-800-827-8112

2. **Request for Oral Hearing.** If you believe your appeal involves an issue of credibility or veracity, or if FEMA cannot decide your appeal based on your records and the additional documents you present, you may request an oral hearing, which can be held by telephone with a FEMA representative, or, in certain exceptional circumstances, in person at a FEMA office.
 - a. In your request you must explain why you think you need an oral hearing. If you do not explain why you are requesting an oral hearing, FEMA may deny your request. If your explanation does not give a sufficient reason for an oral hearing, FEMA may deny your request.
 - b. Specifically, you need to explain why the issue in dispute requires oral testimony and cannot be resolved solely by reviewing the documentary evidence in your file, including any new materials you may have provided.
 - c. If FEMA grants your request for an oral hearing, you will receive a letter and other materials notifying you of the date, time, and other information about the hearing and the procedures involved. The letter will come from a member of FEMA's Alternate Dispute Resolution Division, one of whom will conduct your oral hearing and decide your appeal.
 - d. If FEMA does not grant your request for an oral hearing, FEMA will decide your appeal by paper hearing by reviewing your complete case file, including your appeal letter and any documents you sent us on appeal.
3. **Final Decision.** FEMA decides your appeal and makes a final decision in writing within 90 days after we receive your appeal letter. (If you request an oral hearing and FEMA grants your request, this time may be extended to complete that process.)
4. **Successful Appeals.** If your appeal is successful, we will reduce or cancel your debt and return any money you paid to FEMA in excess of your final debt, including interest payments and other charges in excess of what you owe.
5. **Unsuccessful Appeals.** If your appeal is denied, you may be charged interest and penalties during the period your debt was delinquent (i.e., not paid on time).

E. Interest and Penalties.

1. **Interest; 30 Days.** If you do not pay this debt in full within 30 days of the date on the Notice of Debt, FEMA will charge you interest at the rate set by law. See

2. **Penalties: 90 Days.** If you do not pay this debt in full or agree to a payment plan within 90 days of the date on the Notice of Debt, FEMA will add a 6 percent penalty charge per year on the amount of your debt in addition to the interest and administrative fees already charged.

F. Payment Plan. As explained above, if you cannot pay the full amount now, you may request that FEMA evaluate your eligibility for a payment plan. You may also request a compromise of part or all of your debt, based on inability to pay. Please call the Recoupment Helpline at 1-800-816-1122 between 9:00 a.m. and 8:00 p.m. EST, Monday through Friday. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 1-800-816-1122 to request a payment plan. You will need your FEMA Application Number (top left corner of the enclosed letter) or Social Security Number when you call.

G. Referral to Department of Treasury. If you do not pay this debt in full or agree to a payment plan, FEMA will refer your debt to the Department of the Treasury, as required by law. The Department of Treasury will continue to accrue interest and penalties on your unpaid debt. Fees charged by the Department of the Treasury, the Department of Justice (DOJ), and/or private collection agencies will be added to the amount you owe as an administrative charge authorized under the Debt Collection Improvement Act (DCIA) (Title 31 U.S. Code, Section 3717(e)(1)).

Once your debt is submitted to Treasury for collection, your name and Social Security number will be subject to computer matching with Federal and State sources of payments that may be due to you. Treasury will reduce or withhold any of your eligible Federal payments by the amount of your debt. The Debt Collection Act of 1982 and the DCIA of 1996 authorize this process. Once referred to Treasury, your debt may be referred to:

1. Treasury Offset Program (TOP);

- a. If your debt is submitted to TOP, Treasury may offset any of your eligible Federal payments by the amount of your debt. Treasury is not required to send you notice before your payment is offset.

Federal payments eligible for offset include:

- Income tax refunds;
- Federal or State salary pay, including military pay;
- Federal or State retirement, including military retirement pay;
- Contractor or vendor payments; and,
- Certain Federal benefit payments, such as Social Security (other than Supplemental Security Income (SSI)), Railroad Retirement (other than tier 2), and Black Lung (part B) benefits, and other Federal payments, including certain loans to you, that are not exempt from offset.

2. Treasury Administrative Wage Garnishment;
3. U.S. Department of Justice for judicial enforcement;
4. Private collection agency;
5. Internal Revenue Service (IRS) as potential taxable income, if your debt is discharged; and/or
6. Consumer credit reporting agency.

Information provided will include your name, address, taxpayer identification number, bill number, amount owed, and date of delinquency.

H. Other Important Information

1. **Bankruptcy.** If you filed for bankruptcy, you are not subject to offset while the automatic stay is in effect. Please notify us of the stay by sending evidence concerning the bankruptcy to:

FEMA
U.S. Department of Homeland Security
P.O. Box 9001

Winchester, VA 22604-9001

2. **False Statements.** If you make or provide any knowingly false or frivolous statements, representations, or evidence, you may be liable for penalties under the False Claims Act (Title 31 U.S. Code, Section 3729-3731) or other applicable statutes and/or criminal penalties under Title 18 U.S. Code Sections 286, 287, 1001, and 1002, or other applicable statutes.

I. Overview of your rights.

- Inspect a copy of our records related to your debt (see paragraph C, above)
- Request a review ("appeal") of our determination that you owe this debt (see paragraph D, above)
- Request a payment plan for all or part of your debt (see paragraph B, above)
- Request a compromise of part or all of your debt (see paragraph B, above)

This document explained how to take advantage of each of these rights.

J. Questions. If you have any questions about this letter or your rights, you should contact FEMA as follows:

Questions about Recoupment: Call the Recoupment Helpline at 1-800-816-1122, Monday through Friday, between 9:00 a.m. and 4:00 p.m. EDT. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 1-800-816-1122.